

AMENDMENTS TO THE DRAWINGS:

The attached replacement sheets of drawings, including Figures 2 and 3 replace the previously submitted sheets of drawings including Figures 2 and 3. More specifically, Applicant has amended Figures 2 and 3. Each replacement sheet has been clearly labeled "Replacement Sheet" in the page header.

Attachment: 2 Replacement Sheets of drawings including Figures 2 and 3

REMARKS

Claims 1-7 are pending in the above-captioned application. Claims 6 and 7 have been added. Claims 1 and 3 have been amended. Claims 1, 6, and 7 are in independent form.

Specification

The specification has been amended to clarify terminology set forth in the application as filed. Applicant attests that no new matter has been added thereto.

Drawings

Applicant has attached 2 replacement sheets of drawings, including Figures 2 and 3, hereto directly following these Remarks. Each replacement sheet has been labeled as "Replacement Sheet" in the page header as per 37 C.F.R. §1.121(d).

In amended Figure 2, reference character "19" has been added to identify the housing 19. Reference character "21" has been added to identify the first side 21 of the housing 19. Reference character "23" has been added to identify the second side 23 of the housing 19.

In amended Figure 3, reference character "19" has been added to identify the housing 19. Reference character "23" has been added to identify the second side 23 of the housing 19.

Applicant attests that no new matter has been added thereto.

Information Disclosure Statement

1. The Examiner states that the "listing of references in the specification is not a proper information disclosure statement." More specifically, the Examiner states that on "page two of the written description, US Patent 6328353 is referenced. The patent is not listed on the IDS nor is applicant Pereverzev listed as one of the applicant's on US Patent 6328353." In response, Applicant has submitted an Information Disclosure Statement listing U.S. Patent 6,328,353. Additionally, Applicant has amended paragraph [0012] in the published version of the above-captioned application by deleting "applicant's" and inserting -- commonly owned -- to provide clarification.

Claim Rejections - §112

2-6. Claims 1-5 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses the rejection.

Regarding claim 1, line 10, the Examiner states "there is a lack of antecedent basis for 'said release mechanism.'" In response, Applicant has amended claim 1, line 10 by deleting "mechanism" and inserting -- lever -- in order to provide proper antecedent basis.

Regarding claim 3, the Examiner states "a slot is already claimed in claim 1." In response, Applicant has amended claim 3 to read "wherein said inertia lever includes a tab and said slot of said release lever is aligned with and engages said tab when said release lever is actuated to unlock said latch hook when said inertia lever is in said first position" in order to provide proper antecedent basis.

Claims 2 and 4-5 stand rejected based on their dependency on claims 1 and 3. Applicant respectfully suggests that the rejection of claims 2 and 4-5 is now moot.

Therefore, Applicant respectfully requests that the rejection of claims 1-5 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention be withdrawn

Claim Rejections - §103

7-10. Claims 1-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent 5,865,481 to Buschmann ("the '481 reference") in view of U.S. Pat. 5,899,508 to Cetnar at al. ("the '508 reference"). Applicant respectfully traverses the rejection.

The '481 reference discloses a motor-vehicle door latch 1 including a latch fork 2 that is pivotally coupled to a housing 20 for engaging a door bolt 18. A pawl 3 is pivotally coupled to the housing 20 and moves between a holding position engaging the latch fork 2 and a freeing position permitting the latch fork 2 to release the door bolt 18. An actuating lever 4 pivots to trip the pawl 3 and free the latch fork 2 to release the door bolt 18. A blocking lever 7 is pivotally

coupled to the actuating lever 4. When the latch parts are subjected to an inertial acceleration, the blocking lever 7 tends to pivot in a counterclockwise direction so that its arm 8 comes into contact with a camming point 13 of a latch plate 12, which prevents the lever 4 from pivoting in a clockwise direction. As a result, the latch 1 will stay closed.

Claim 1 of the above-captioned application, as amended, includes the limitation of "an inertia lever engagable with said release lever to prevent movement of said latch hook between said locked and unlocked positions, said inertia lever movably supported within said latch mechanism for moving in and out of engagement with said release lever in response to a side impact upon the vehicle."

The '481 reference does not disclose an inertia lever engagable with a release lever to prevent movement of a latch hook, as specifically required by amended claim 1 of the above-captioned application. The Examiner contends that the actuating lever 4 and the blocking lever 7 in the '481 reference are equivalent to the release lever 30 and the inertia lever 50, respectively, in the above-captioned application. In the '481 reference, the blocking lever 7 is pivotally coupled to the actuating lever 4. An abutment 15 on the blocking lever 7 engages an abutment pin 16 on the actuating lever 4 in order to define a rest position of the blocking lever 7. To stop pivotal movement of the actuating lever 4 and thereby prevent the actuating lever 4 from pivoting the pawl 3 and releasing the latch fork 2, the blocking lever 7 engages the camming point 13 of the latch plate 12. Thus, it is clear that the blocking lever 7 does not engage the actuating lever 4 to prevent movement of the latch fork 2. Instead, the blocking lever 7 engages the latch plate 12 to prevent movement of the latch fork 2.

The '481 reference does not disclose means for biasing an inertia lever to a first position out of engagement with a release lever, as specifically required by claim 2 of the above-captioned application. The Examiner contends that the torque spring 10 in the '481 reference biases the blocking lever 7 to a first position out of engagement with the actuating lever 4. In the '481 reference, the torque spring 10 urges the blocking lever 7 counterclockwise into a rest position, shown in Figures 1 and 2. The abutment 15 on the blocking lever 7 is engageable with the abutment pin 16 on the actuating lever 4 to define this rest position. Clearly, the torque spring 10 does not bias the blocking lever 7 to a first position out of engagement with

the actuating lever 4. In fact, the opposite is true. The torque spring 10 biases the blocking lever 7 into engagement with the actuating lever 4.

Further, claims 2-5 depend from claim 1 and, as such, are construed to incorporate by reference all the limitations of the claim to which they refer, *see* 35 U.S.C. §112, fourth paragraph. Thus, claims 2-5 must be read as including the limitation of an inertia lever engagable with a release lever to prevent movement of a latch hook between locked and unlocked positions, the inertia lever movably supported within a latch mechanism for moving in and out of engagement with the release lever in response to a side impact upon the vehicle.

Additionally, the cited references do not provide any teaching, suggestion, or motivation for the limitation of an inertia lever engagable with a release lever to prevent movement of a latch hook. As a result, Applicant contends that the invention set forth in claims 1-5 of the above-captioned application would not have been obvious to one skilled in the art at the time of invention.

Therefore, Applicant respectfully requests that the rejection of claims 1-5 under 35 U.S.C. §103(a) as being unpatentable over the '481 reference in view of the '508 reference be withdrawn.

Applicant has added new independent claim 6. Claim 6 claims a latch mechanism including a housing; a latch hook mounted on the housing and movable between a locked position and an unlocked position; a release lever pivotally coupled to the housing and operatively coupled to the latch hook for selectively moving the latch hook between the locked and unlocked positions; and an inertia lever engagable with the release lever to prevent movement of the latch hook between the locked and unlocked positions, the inertia lever pivotally coupled directly to the housing for moving in and out of engagement with the release lever in response to a side impact upon the vehicle; wherein the release lever includes a slot presenting sides for engaging a portion of the inertia lever for automatically toggling the inertia lever in response to movement of the release lever to prevent seizing of the inertia lever within the latch mechanism.

The '481 reference does not disclose an inertia lever pivotally coupled directly to a housing, as specifically required by claim 6 of the above-captioned application. The Examiner contends the blocking lever 7 in the '481 reference is equivalent to the inertia lever 50 in the above-captioned application. The blocking lever 7 is pivotally coupled to the actuating lever 4 at axis 7A. The actuating lever 4 is pivotally coupled to the housing 20 at axis 4A. Clearly, the blocking lever 7 is not pivotally coupled directly to the housing 20.

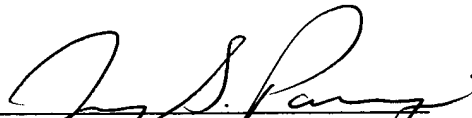
Applicants have also added new independent claim 7. Claim 7 claims a latch mechanism including a housing including a first side and an opposite second side; a latch hook mounted on the first side of the housing and movable between a locked position and an unlocked position; a release lever mounted on the second side of the housing and operatively coupled to the latch hook for selectively moving the latch hook between the locked and unlocked positions; and an inertia lever engagable with the release lever to prevent movement of the latch hook between the locked and unlocked positions, the inertia lever movably supported on the second side of the housing for moving in and out of engagement with the release lever in response to a side impact upon the vehicle; wherein the release lever includes a slot presenting sides for engaging a portion of the inertia lever for automatically toggling the inertia lever in response to movement of the release lever to prevent seizing of the inertia lever within the latch mechanism.

The '481 reference does not disclose a latch hook mounted on a first side of a housing and a release lever and an inertia lever mounted on a second side of the housing. In the '481 reference, the latch fork 2, actuating lever 4, and blocking lever 7 are all disposed on the same side of the housing 20. Therefore, claim 7 is allowable.

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Amdt dated March 25, 2008
Reply to Office action of December 27, 2007

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

Respectfully submitted,



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